

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41147 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- ASHTHAWAN District- Nalanda

1. Suresh Choudhary Son of Late Mahadev Choudhary Resident of Village - Kathari, P.S.- Asthawan, Distt - Nalanda.
2. Pikku @ Ajay Choudhary Son of Suresh Choudhary Resident of Village - Kathari, P.S.- Asthawan, Distt - Nalanda.
3. Parmila Devi Wife of Suresh Choudhary Resident of Village - Kathari, P.S.- Asthawan, Distt - Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners who are in custody since 04.11.2018 have filed the instant application for grant of bail in connection with Ashthawan P.S. Case No. 209 of 2018 registered for the offence punishable under sections 302,323,504 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the three petitioners are alleged to have strangled the father of the informant as a result of which he died.

It is submitted by learned counsel for the petitioners that there was case and counter case and the petitioners also sustained serious injuries. It is further submitted that three



persons together, cannot participate in commission of the offence in the manner as narrated in the FIR. The petitioners are in custody since 04.11.2018 and have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is not inclined to enlarge the petitioners no. 1 and 2 on bail. Accordingly, their prayer for bail is rejected.

In view of the fact that the petitioner no. 3 is a 60 years old lady and is in custody since 04.11.2018, the Court is inclined to enlarge the petitioner no. 3 on bail. Let the petitioner no. 3 be enlarged on bail on her furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Biharsharif, Nalanda in connection with Ashthawan P.S. Case No. 209 of 2018.

(Partha Sarthy, J)

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